

February 7, 1984

LB 480

CLERK: Mr. President, I have a motion on the bill. Senator Vard Johnson would move to return LB 480 to Select File for a specific amendment. The amendment is on page 758 of the Journal.

SPEAKER NICHOL: Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker, members of the body, this is a real simple amendment. LB 480 is a bill that would continue for one year the Real Estate Licensing Commission and I just happened to have a small case in front of the Real Estate Licensing Commission about a week ago, about ten days ago and what had happened was incredibly simple. Some poor individual was about to have...well the Real Estate Licensing Commission had decided to consider whether or not to revoke a real estate license for an individual and the individual had received a complaint from the Commission. The complaint was an extraordinarily vague complaint so the individual wrote a letter to the Commission and simply said, could you please clarify what the complaint says so I know the charge against me. And the Commission responded by stating, we don't have any process for actually making a complaint more definite and certain. Then the individual contacted me two days before the hearing before the Real Estate Licensing Commission. I went before the Commission on the hearing and I said, the first thing I said is, look, this person needs to know the specific allegations against him and the Commission said to me, we have no process for clarifying a complaint. If you want to, Senator Johnson, they said, why don't you change it legislatively. Now that is like waving a red flag to a bull and so I came back to Lincoln and I discovered we had this bill going through and I decided to put a little germane amendment on which is simply to make a complaint filed with the Real Estate Commission amenable to a clarifying motion and that is all it does. The amendment you will find, I guess, on page 758, looks like it, page 758. I would move the amendment at this time.

SPEAKER NICHOL: Is there any further discussion on the Vard Johnson amendment? Okay, the question is, shall the bill be